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2 IN THE UNITED STATES DISTRICT COURT
3 FOR THE EASTERN DISTRICT OF CALIFORNIA
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7 OSCAR LEE NEWSOME,

8 Plaintiff,

CV F 02 5398 OWWW WMW P

9
10 vs.

ORDER RE: FINDINGS &
RECOMMENDATIONS (#24)

11 E. ALAMEIDA, et al.,

12 Defendants.
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16 Plaintiff is a state prisoner proceeding pro se in this civil rights action. The matter
17 was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local
18 Rule 72-302.

19 On May 31, 2005, [findings and recommendations](#) were entered, recommending
20 dismissal of this action for failure to state a claim upon which relief can be granted. Plaintiff
21 was provided an opportunity to file objections within twenty days. Plaintiff has not filed
22 objections to the findings and recommendations.

23 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule
24 73-305, this court has conducted a de novo review of this case. Having carefully reviewed the
25 entire file, the court finds the findings and recommendations to be supported by the record and
26 proper analysis.

Accordingly, THE COURT HEREBY ORDERS that:

1. The Findings and Recommendations issued by the Magistrate Judge on May 31, 2004, are adopted in full; and

2. This action is dismissed without prejudice for failure to prosecute. The Clerk is directed to close this case.

IT IS SO ORDERED.

Dated: July 1, 2005
emm0d6

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE